

RUTH OBRE DUBONNET

FEBRUARY 26, 1951.—Committed to the Committee of the Whole House and ordered to be printed

Mr. WALTER, from the Committee on the Judiciary, submitted the following

R E P O R T

[To accompany S. 46]

The Committee on the Judiciary, to whom was referred the bill (S. 46) for the relief of Ruth Obre Dubonnet, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to enable Ruth Obre Dubonnet, a native-born citizen of the United States who lost her citizenship by acquiring French citizenship in 1943, to regain her United States citizenship.

GENERAL INFORMATION

The beneficiary of the bill was born in the United States on January 28, 1900. She accompanied her first husband to France in 1920 and, except for a short residence in Munich, Germany, she has resided in Paris since that time except for frequent visits to the United States. She married Andre Dubonnet, a citizen of France, in 1937. She is now a permanent resident of the United States, having been admitted on May 8, 1950, with a nonpreference quota immigration visa under the French quota. During the war in France, she was very active in Red Cross work and because of her war work she was fearful of being sent to a concentration camp by the Germans, and, to avoid this, she acquired French citizenship.

A letter dated September 13, 1950, to the chairman of the Senate Committee on the Judiciary from the Deputy Attorney General with reference to a bill which was introduced in the Eighty-first Congress for the relief of the same alien, reads as follows:

DEPARTMENT OF JUSTICE,
Washington, D. C., September 13, 1950.

Hon. PAT McCARRAN,
*Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.*

MY DEAR SENATOR: This is in response to your request for the views of the Department of Justice relative to the bill (S. 2458) for the relief of Mrs. Ruth Obre Dubonnet.

The bill would provide that Mrs. Ruth Obre Dubonnet may be naturalized by taking, prior to 1 year from the date of its enactment, before any court referred to in subsection (a) of section 301 of the Nationality Act of 1940, as amended, the oath prescribed by section 335 of that act. It would further provide that after such naturalization Mrs. Dubonnet shall have the same citizenship status which she had immediately prior to its loss.

The files of the Immigration and Naturalization Service of this Department disclose that the beneficiary of the bill was born in the United States on January 28, 1900, and that she resided in this country until 1920 when she accompanied her first husband, Walter Goldbeck, a United States citizen, to France. She and Mr. Goldbeck resided in Paris until 1922 when they went to Munich, Germany. She returned to Paris in 1923 and has subsequently resided there. She claims to have made annual visits to the United States until 1940.

Mrs. Dubonnet's first husband died in 1924 and in 1928 she married Paul de Vallombrosa, a citizen of France, whom she divorced in 1935. In April of 1937 she married her present husband, Andre Dubonnet, also a citizen of France. Mr. Dubonnet has two children by a former marriage, 23 and 17 years of age, who are both citizens of France and reside in Paris, France. Mr. Dubonnet, who has business interests in South America, maintains a residence in Habana, Cuba.

Mrs. Dubonnet's first entry into the United States, after the termination of hostilities in the recent war, was at the port of New York on August 27, 1946, when she was admitted as an alien for a period of 3 months under section 3 (2) of the Immigration Act of 1924. On October 31, 1946, she applied for a 4-month extension of her temporary admission, stating that she wanted to remain longer with her brother, whom she had not seen for several years, and also that she wanted to clear up her citizenship status while in this country. Her application for an extension of stay was denied on December 27, 1946. Mr. Dubonnet, who had previously entered the United States and had applied for an extension of stay, which also was denied, departed from the United States on October 7, 1946, destined to Paris, France.

In her application for extension of her temporary stay, Mrs. Dubonnet contended that she had not lost United States citizenship, but inasmuch as the record indicated that she had become a citizen of France by naturalization in 1943, the Immigration and Naturalization Service held that her self-serving statements to the contrary were insufficient to support her claim that she became naturalized solely under duress. On July 3, 1947, she filed a petition in the United States District Court for the District of Columbia, pursuant to section 503 of the Nationality Act of 1940 (8 U. S. C. 903), for a judgment declaring her to be a citizen of the United States. Her petition was dismissed on June 11, 1948, and on October 25, 1948, her motion for a new trial was denied. On November 24, 1948, a motion for a new trial, on the ground of newly discovered evidence, was denied, whereupon notice of appeal was filed. The appeal, however, was subsequently abandoned, and on the motion of the Government was dismissed on October 12, 1949.

After her entry into the United States in 1946, Mrs. Dubonnet applied for a permit to reenter this country, stating that she desired to go to France and wanted to be assured that she would be permitted to return here while her case was pending. She was informed on July 8, 1948, that she was not entitled to a reentry permit but that, since she had a proceeding pending in the United States court for a declaratory judgment under section 503 of the Nationality Act of 1940, she could apply for a certificate of identity through a consular officer of the United States in the country of her foreign residence to facilitate her reentry into this country to prosecute her action for a declaratory judgment, and that her admissibility could not be determined until she reapplied for admission to the United States in possession of appropriate documents. She departed from the United States, for Paris, in July of 1948 and reentered on October 10, 1948, presenting a certificate of identity. In January of 1949 she made a trip to Habana, Cuba, returning to the United States on January 29, 1949.

Concerning her naturalization as a citizen of France, Mrs. Dubonnet has stated that she maintained her American citizenship until May of 1943, and that when an inspector of the French police questioned her regarding her nationality, she informed him that she was a French national. She claims to have been warned that the German Gestapo had instructed French collaborators to investigate her and that she was informed that it would be necessary to present something other than the French identity card, which she had obtained in 1941, since the Germans were suspicious of her. She has stated that she was questioned concerning her activity with the French Red Cross and her ambulance work and that she became alarmed, fearing that she would be sent to a concentration camp in Germany, whereupon she decided to acquire French citizenship. She became a naturalized citizen of France in May of 1943, and thereafter continued her work with the Red Cross and organized a mobile surgical unit. She stated further that she had worked with an organization known as IPSA, which was a branch of the Red Cross serving the French Air Force.

Concerning her reputed association with officers of the German occupation forces in France, she stated that she had known General Hanesse, the air attaché before the war and that she had made use of her acquaintance with him to secure permission for herself and other members of the Red Cross ambulance service to enter war zones to bring back wounded and sick prisoners. In explanation of reports that she had made disparaging remarks about the United States, Mrs. Dubonnet stated that when she made these remarks in 1940, she was disgusted with America because greater assistance had not been given to France.

The record shows that on April 7, 1950, the State Department authorized the American consulate at Niagara Falls, Ontario, Canada, to issue a quota immigration visa to Mrs. Dubonnet. It further indicates that on May 8, 1950, a French nonpreference quota immigration visa was issued to her at Niagara Falls, which is endorsed to show that she was admitted to the United States at Niagara Falls on that date under section 6 (a) (3) of the Immigration Act of 1924, and that she is now a legal resident of the United States.

As a legal resident of the United States Mrs. Dubonnet is now in a position to proceed toward naturalization pursuant to the provisions of the Nationality Act. While the record indicates that she rendered humanitarian service to the people of France by evacuating disabled soldiers and civilians from internment camps and zones of danger during the German occupation of France, it fails to present considerations justifying the enactment of special legislation granting her an exemption from the normal naturalization procedure.

Accordingly, this Department is unable to recommend enactment of the measure.

Yours sincerely,

PEYTON FORD,
Deputy Attorney General.

The files of the Senate Committee on the Judiciary contain the following affidavits and statements in connection with the bill:

STATE OF NEW YORK,
County of New York, ss:

Mathilde Blumenthal, being first duly sworn upon oath, deposes and says:

- (1) That she is a resident of France, temporarily visiting in the United States, and is about to return to France;
- (2) That she is well acquainted with Ruth Obre Dubonnet and saw her frequently during the German occupation from 1940 to 1944;
- (3) That Mrs. Dubonnet did excellent humanitarian work with the French Red Cross and that during the German occupation she was particularly valuable because of her excellent knowledge of the German language; she was able to save many from being put into prison and also was instrumental in saving the personal belongings of civilians when the Germans commandeered their living quarters.
- (4) The affiant further states that her mother and many of her close relatives were sent to Nazi concentration camps where they suffered torture and final death and that this affiant would not render any aid or assistance to one who was a collaborator or in sympathy with the Germans.
- (5) The affiant further states that she discussed with said Ruth Obre Dubonnet her predicament when she was denounced by the Germans in 1943 and that she was one of those who advised her that, in order to save her own life and to continue her humanitarian activities, said Ruth Obre Dubonnet accept the protection of French citizenship; that at that time Ruth Obre Dubonnet believed that it would

be very easy for her to regain her American citizenship following the cessation of hostilities, and in truth and in fact said Ruth Obre Dubonnet never intended to renounce her American citizenship but merely to deceive the Germans.

MATHILDE BLUMENTHAL,

Affiant.

Subscribed and sworn to before me this 8th day of December 1947.

NICHOLAS V. LOMBARDO,

Notary Public.

STATE OF NEW YORK,

City of New York, County of New York, ss:

Rene de Chambrun, being duly sworn, deposes and says:

I am a citizen of France and a member of the New York and Paris bars.

I reside at 6 bis Place du Bourbon, in Paris, France, and maintain an office for the practice of international law at 52 Avenue des Champs-Elysees, in Paris.

I am now sojourning in the United States for a few weeks.

I have known Mrs. Ruth Obre Dubonnet for the past 14 years, having acted for the first time in 1934 as attorney for her husband in the United States in connection with the invention of Mr. Andre Dubonnet's independent suspension of automobile wheels adopted by General Motors and other companies, known as knee action or Dubonnet system.

Since then from time to time I represented Mr. or Mrs. Dubonnet or Mr. Dubonnet's companies in France or in the United States.

During the occupation of Paris and in particularly during the months which followed America's entry into the war I frequently saw Mrs. Dubonnet and repeatedly advised her that it was extremely dangerous for her to exercise the activity which she did (she was vice president of a benevolent ambulance organization), as it was known to many people in Paris that although she had married a Frenchman she had retained her United States citizenship. Despite the fact that she had been able to obtain from the local French authorities a French identity card I told her, as I believe many of her friends did, that the time might well come when she would be arrested and deported by the German police.

Although the French Government had suspended all naturalizations during the war in order to avoid having to naturalize German citizens under German pressure I told Mrs. Dubonnet that I believed that Mr. Gravier, who was director of the cabinet of the Ministry of Justice of the French Government, would be able to arrange to have a special naturalization decree entered into in favor of Mrs. Dubonnet. I understand that this was done in May 1943. It is obvious that this emergency decree was entered into for the sole purpose of protecting Mrs. Dubonnet during the war period from a very likely deportation to Germany.

Shortly before coming to the United States on August 23, 1948, I wrote to the Minister of Public Health and Population, who is now in charge of all files and matters pertaining to naturalization and am attaching to this affidavit (exhibit A) the copy of my letter which can be translated as follows:

"AUGUST 23, 1948.

"DEAR SIR: I beg to bring to your knowledge the following facts:

"I am attorney for Mrs. Andre Dubonnet, born Ruth Obre, now sojourning in New York, 895 Park Avenue.

"When marrying Mr. Andre Dubonnet on April 12, 1937, Mrs. Ruth Obre retained her American citizenship and each year made long trips to her country. In September 1939 when her husband was called to the colors, she created with Countess du Luart the 'formation cherigicale mobile' and later the 'assistance sanitaire automobile' in which organization she was extremely active during the whole war period, particularly under the occupation when she assisted war prisoners and the victims of bombardments.

"After the United States entry into the war her activity became a matter of suspicion to the German authorities to whom she succeeded for some time in concealing her real American citizenship by pretending she was French. Nevertheless, when, in April 1943, personal identity investigations became more frequent, she decided upon my advice and the advice of a certain number of her French friends to request from the French Government a naturalization decree in order to avoid a likely arrest.

"I know that you obviously cannot indicate the reasons for which such or such a person sought to become a French citizen; nevertheless as in this case the circumstances and the period involved are exceptional. I believe that if I were given the official date of her application and the date of the decree granting her naturaliza-

tion these would suffice to establish the nonspontaneous character of this naturalization.

"You will of course appreciate, sir, that if the two dates are not far apart Mrs. Andre Dubonnet, in showing them to the American authorities, will be able to prove that the circumstances of her naturalization were extremely exceptional as everyone knows the length of waiting periods and the roughness of the investigations which for many years past have been part of the naturalization process in France.

"Very truly yours,

— — — — —"

On the next day I was received by Mr. Loisel, head of the naturalization department of the Ministry of Health and Population, who explained to me that he had examined Mrs. Dubonnet's file and had reached the conclusion that her naturalization was in no way a spontaneous act on her part and that the Vichy government had exceptionally and by reason of the special circumstances naturalized Mrs. Dubonnet a French citizen in order to protect her from the German police authorities. He handed me a certificate dated August 24 (exhibit B), which can be translated as follows:

"MINISTRY OF HEALTH AND POPULATION,
REPUBLIC OF FRANCE,
Paris, August 24, 1948.

"The Minister of Public Health and Population to R. de Chambrun, Esq.,
52 Avenue des Champs-Elysees, Paris, VIII.

"Sir: Following your letter of August 23, 1948, I beg to inform you that:

"(1) Mrs. Dubonnet, born Obre, applied for the French naturalization on May 5, 1943, and obtained satisfaction a few weeks later (decree of May 18, 1943, published in the Journal Official of June 4).

"(2) If Mrs. Dubonnet is reinstated into her American citizenship she will automatically lose her French nationality without having to take any steps in France (art. 87 of the Code of Citizenship of October 19, 1945).

"Very truly yours,

— — — — —"

This certificate was signed by Mr. Loisel, whose signature was acknowledged the next day, August 25, by the Ministry of Foreign Affairs, which affixed its seal and signature on Mr. Loisel's certificate. On the same day, August 25 (see exhibit B), the seal of the French Ministry of Foreign Affairs and the signature of its delegate were certified by the United States consul in Paris.

RENE DE CHAMBRUN.

Sworn to before me this 18th day of October 1948.

ELIZABETH BARETTA,
Notary Public, State of New York, residing in Rockland County.

AFFIDAVIT

REPUBLIC OF FRANCE,
City of Paris, ss:

Louis Gravier, after taking oath, declares as follows:

I am a French citizen and a lawyer at the court in Lyons and at present reside in Neuilly-sur-Seine, 10 rue de l'Ecole de Mars.

I was born on April 26, 1893, in Saint-Pierre d'Albigny, Savoie.

After obtaining my license in law, I was admitted as a lawyer in the court at Chambery in 1936.

In 1919 I was named judge in Grenoble and I continued my career as magistrate in different French tribunals until 1937, when I was named deputy public prosecutor in Paris.

In 1943, I was assigned to act as director of the cabinet of the Minister of Justice.

It was while I was performing the functions of this office, in April 1943, that I received the visit from Mme. Obre, the wife of Dubonnet (Andre).

She told me that she was very much disturbed by the repeated verifications of identity of which she was the object on the part of the German police agencies, and she told me that she was afraid of being arrested because of her American nationality which she had till then kept hidden from the investigators. She

asked me to help her obtain French nationality so as to remove her from the danger of an incarceration or an internment.

I then told her that the naturalization procedures were suspended by the French authorities. Nevertheless, by reason of the danger which at that time was threatening her safety, I considered that I should receive favorably the request put forward by Mme. Dubonnet and I had the competent authorities make urgent proceedings for naturalization, and I did this in the sole aim of assuring the protection of Mme. Dubonnet.

The information gathered by the prefecture of the French police being favorable, a naturalization decree was submitted several days later for the signature of the Minister because of the exceptional situation in which Mme. Dubonnet found herself.

Sworn before me this — day of August 1948.

CERTIFICATION

BERLITZ TRANSLATION SERVICE,
630 Fifth Avenue, New York, N. Y.

I hereby certify that to the best of my knowledge the above is a true and accurate translation from French into English.

ALBERT SACHS,
French-English Translator.

STATE OF NEW YORK,
County of New York, ss:

Subscribed and sworn to before me on October 29, 1948.

[SEAL]

ALBERTO M. SARMIENTO, Notary.

PARIS, August 23, 1945.

REPUBLIC OF FRANCE,
Department of Seine, City of Paris,
Embassy of the United States of America, ss:

I, the undersigned, Devereaux Rochester-Reynolds, actually in the British Army, do declare that during the German occupation of France as a member of a British organization, working with the French resistance against the Germans, I was arrested by the Gestapo in March 1944 and imprisoned at Fresnes jail.

Accused of espionage and sabotage by the Germany authorities, it was owing to Mme. Dubonnet's testimony in my favor, at great personal risk to herself, that I was eventually interned at Vittel instead of being shot or deported.

I am an American citizen by birth although actually holding officer's status in His Majesty's forces, and I would like to draw attention to those concerned that Mme. Dubonnet has rendered, not only to myself, but also to my mother, great aid by arranging for my mother's release from Vittel in 1943. I would also like to add that Mme. Dubonnet is acting as chief witness in my favor in the prosecuting of the persons concerned with having had me delivered into German hands. This can be verified through M. Dansimoni, juge d'instruction, Rue Boissy d'Anglas, Paris.

In view of all this, I hope that all possible aid will be accorded to Mme. Dubonnet for the deliverance of her American passport as soon as possible.

If at any future date any person or persons wish to question me concerning the activity of Mme. Dubonnet, I am at their disposition, and my home address is: 20 Rue Louis David, Paris, telephone, Trocadero 08.54.

DEVEREAUX ROCHESTER-REYNOLDS.

Subscribed and sworn to before me this 23d day of August 1945.

LUCIEN J. VALLES,
Vice Consul of the United States of America at Paris, France,
duly commissioned and qualified.

Service No. 7105,
tariff item No. 24,
\$2.00 Fr., Frs. 00.00.

TRANSLATION OF EXHIBIT B, STATEMENT OF JUNE 6, 1946, BY G. DUVERNOY, HONORARY
PREFET

We, Mme. Duvernoy and I, are friends of Mme. Andre Dubonnet for over 24 years, consequently and very probably her oldest friends in France; since 1922 our relationship has never suffered the slightest interruption. Therefore, we find ourselves without doubt among the best qualified to testify for her at this time where there appears contested the attachment which we have always seen her manifest for her United States nationality which she kept until the day that imperative necessity to assure her own safety obliged her to adopt French nationality.

We knew her as an American when she was married to Mr. Goldbeck; there was no question of her giving up her nationality when, after the death of her husband, she married Count de Vallombrosa nor when, having divorced him, she became the wife of Andre Dubonnet.

During the last war, after consecrating herself with untiring devotion and remarkable courage to all sorts of Red Cross activities, she created, after the armistice, the assistance sanitaire automobile in order to take aid to our wounded who were left behind the German lines; and she had the satisfaction of being able to bring back from the forbidden zones more than 2,000 prisoners, who, thanks to her, were thus able to escape internment in the German camps.

In 1941, when her American nationality risked exposing her to the treatment the Germans were planning to give to American subjects, I intervened with my colleague, the prefet of Puy de Dome, in order to obtain for her a French passport which, I hoped, at least would help her gain time in making her pass as French as regards the German authorities.

It was only in 1943 that this subterfuge, which had allowed Mme. Dubonnet to keep her true nationality despite appearances, was probably denounced to the Gestapo and the question arose for her and her friends, how to save her by an unsuspecting measure from reprisals such as internment and deportation.

It was then that I intervened at the Ministry of Justice to give her as urgently as possible French nationality, and her decree of nationality was signed, on my insistence, by the garde des sceaux in April 1943.

I can thus certify in the most formal manner and under oath that it was only under threat of measures which had already been commenced, since Mme. Dubonnet was under the regime of residence watched by the Gestapo, and that, remaining fundamentally attached to her nationality of origin, she deduced to adopt French nationality.

G. DUVERNOY, *Honorary Prefet.*

PARIS, June 6, 1946.

To Whom It May Concern:

I, the undersigned, Henriette Raulot-Lapointe, domiciled at 25 Rue de l'Eglise, Neuilly sur Seine, testify that I have known Mrs. Ruth Dubonnet for over 16 years and that during the 4 years of enemy occupation was constantly in touch with her.

Personally I know no other woman who worked as hard and as effectively as did Mrs. Dubonnet to relieve the sufferings of others. Materially and physically she devoted herself entirely to humanitarian work. However, by this activity she attracted the attention of the German authorities which resulted in an investigation on their part (due very surely to denunciation) concerning her nationality. Therefore, in the spring of 1943 she was warned to obtain authentic French papers (she had had false ones since 1941) or else there would be grave consequences. Her friends begged her to do so, all of us naturally being convinced that at the end of the war she could very easily reestablish her own nationality which she so cherished.

All persons who came in contact with Mrs. Dubonnet can only admire her remarkable courage during this period.

H. RAULOT LAPOINTE.

DE HUIT AOUT 1946.

The committee, after consideration of all the facts in the case, is of the opinion that the bill S. 46 should be enacted.

